

EASTWOOD RYDE NETBALL

ASSOCIATION INC

CONSTITUTION



EASTWOOD RYDE NETBALL ASSOCIATION INC. CONSTITUTION

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EASTWOOD RYDE NETBALL ASSOCIATION INC. CONSTITUTION

1. GENERAL

1.1 Definitions Defined Terms

For the purposes of this Constitution,

'Affiliated Club' means any club (comprising one or more teams) which is registered to play with ERNA.

'AANA' means All Australia Netball Association Ltd also known as Netball Australia.

'ERNA' means the Eastwood Ryde Netball Association Inc.;

'Club Delegate' means a duly appointed representative of an Affiliated Club of ERNA;

'Instrument' means any document pertaining to the governance of ERNA, and includes, but is not limited to, this Constitution, and the associated Policies;

Netball NSW also known as NNSW is the controlling body for Netball in New South Wales.

'Registered Member' means any financial member or life member of ERNA;

'The Office Bearers of ERNA' means the members of the Executive Committee.

1.2 Interpretation

- Where this Constitution conflicts with any other instrument of ERNA, this Constitution shall prevail.
- Where ambiguity exists between this Constitution and any other instrument of ERNA, the natural interpretation of the Constitution shall prevail.
- The Council shall hold the power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution and associated Policies.

1.3 Title

The name of the Association shall be the Eastwood Ryde Netball Association Inc. (ERNA)

1.4 Colours

The ERNA's colours shall be Silver Grey, Gold and Royal Blue.

1.5 ERNA Headquarters

The ERNA office and facilities are located at 22 Winbourne Street, West Ryde, 2114.

1.6 Boundaries

The ERNA's boundaries shall be as defined by Netball New South Wales (NNSW) and as reviewed from time to time.

1.7 Objectives

The objectives of ERNA shall be to:

- further the interests of its members and promote the competitions of Netball within the boundaries of ERNA;

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- promote, regulate and manage competition matches between Affiliated Clubs and carnivals of ERNA;
 - select and manage ERNA's representative teams;
 - affiliate with and support NNSW;
 - co-operate with other affiliated organisations in New South Wales for the furtherance of Netball;
 - seek to resolve any and all disputes which may arise between members of ERNA in all matters pertaining to the game of Netball within the boundaries of ERNA; and
 - be a court of appeal in the case of an unresolved discipline matter or dispute connected with Netball within the area controlled by ERNA.

1.8 Patron

ERNA may from time to time appoint one or more Patrons.

2. MEMBERSHIP

Membership is open to Members of Affiliated Clubs (Ordinary Membership), Representative Members and Life Members.

ERNA is the controlling body for Netball within its boundaries and its authority shall be recognised by all Registered Members who shall adopt and obey this Constitution and associated Policies of ERNA.

A person ceases to be a Registered Member of ERNA if the person:

- a) dies;
- b) ceases to be financial under Clause 2.4 iii) or
- c) is expelled from ERNA.

2.1 Ordinary Membership

Individual members of an Affiliated Club wishing to join ERNA shall:

- a) Register via the current online registration system.
- b) Pay the prescribed membership fees to ERNA.
- c) Be classified as:
 - i Senior Players, who shall be aged 18 years of age or over at 31 December in the year of play.
 - ii All Abilities Players.
 - iii Junior Players, who shall be aged 5 to 17 years of age at 31 December in the year of play.
 - iv Membership shall also include non-players, including, but not limited to, delegates, managers, coaches and umpires.

2.2 Life Membership

- i) Any member of an affiliated club may be elected a Life Member of ERNA in recognition of a minimum of ten (10) years outstanding service to ERNA.
- ii) Candidates for election as Life Members shall be nominated by two (2)

Ordinary or Life Members of the Council and be lodged with ERNA Secretary by 15 September before the Annual General Meeting at which time the nomination will be considered to enable the Executive Committee to check the candidate's eligibility.

- iii) The nominations must be approved by a majority of at least three-quarters (3/4) of the members present and voting by secret ballot at an Annual General Meeting. Council may, from time to time, fix the maximum number of persons who may at any time hold Life Membership.
- iv) A Life Member shall be entitled to attend all Council, Special Council, Annual General and any other Council meetings and shall have full voting rights.
- v) A person ceases to be a Life Member of ERNA if the person:
 - dies; or
 - is expelled from ERNA.
- vi) A Life Member can act as a delegate for an affiliated club at meetings of Council if he or she declares the intention to act as a club delegate prior to the commencement of the meeting.

2.3 Representative Membership

- i) Representatives shall consist of Premier League, Metro League, Men's Metro League, Summer Series, Masters State titles, Boys MLeague, Senior State Titles and Junior State Titles teams, coaches and managers within ERNA.
- ii) Any player who wishes to stand for an elected position must become a member of an affiliated Club within ERNA and must be 18 years of age in year of term applied for.

2.4 Membership Fees And Miscellaneous Fees

- i) All fees to be paid by Registered Members for the following year of membership, shall be determined by resolution of Council at the Annual General Meeting each year.
- ii) All members of ERNA will be registered members for the period of time they are registered through PlayHQ, and must cover all competitions and meetings conducted throughout that period.
 - i) A Registered Member ceases to be financial if they:
 - i) Fail to renew their membership; or
 - ii) Fail to pay to ERNA money they owe to ERNA within the required time frame.

2.5 Register Of Members

- i) The ERNA Secretary shall be the Public Officer.
- ii) All member details are retained via the current online registration system.
- iii) A member may hold membership in more than one affiliated club.

2.6 Members' Liability

The liability of a Registered Member of ERNA to contribute towards the payment of the debts and liabilities of ERNA or the costs, charges and expenses of the winding up of the ERNA is limited to the amount, if any, unpaid by the member in respect of membership of ERNA.

2.7 Affiliation Of Clubs

In order to become affiliated with ERNA, clubs must consist of one or more teams comprising Registered Members of **NNSW**.

2.8 Club Delegates

- i) Affiliated Clubs shall each have the right to nominate two Club Delegates to attend any Council Meetings. Club Delegates must be a member of the relevant club and therefore financial members of ERNA and NNSW.
- ii) At each physical meeting, all Club Delegates present shall sign an attendance book and shall state the club they represent at that meeting. Prior to an online meeting, clubs must advise ERNA of Club Delegates attending as instructed by the ERNA office.
- iii) A Club Delegate may represent one club only at any meeting.

3. MEETINGS

3.1 Meetings – General Procedure

- i) The President shall take the chair at all meetings of the Council or Executive Committee. In the President's absence the chair shall be taken by the Vice President or other Executive Committee Member.
- ii) If the President, Vice President or any other Executive Committee Member is not present within thirty (30) minutes of the time fixed for the commencement of the meeting, the members present shall elect a Chairperson.
- iii) A quorum for ordinary Council meetings shall consist of half (1/2) the total number of ERNA's Executive Committee members, and Club Delegates representing at least half (1/2) of the Affiliated Clubs.
- iv) A quorum for Executive Committee meetings shall consist of half (1/2) the total number of the elected Executive Committee.
- v) If no quorum is present thirty (30) minutes after the time fixed for the commencement of a meeting it shall be adjourned to such time and place as the Chairperson shall decide. The Secretary shall give written notice thereof to each eligible voter and to the Secretary of each Affiliated Club.
- vi) The accidental omission to give any member the required notice shall not invalidate a meeting nor any of the business of the meeting.
- vii) Questions arising at an Ordinary Meeting of the Council, Executive Committee or any Sub-committee are to be determined by a simple majority of votes cast by eligible members. Each eligible member shall have one (1) vote to be taken in such a manner as the Chairperson shall direct, except that a secret ballot shall be taken if any member requests it.
- viii) In the case of an equality of votes, the President (or the person otherwise presiding) shall, in addition, have a casting vote.
- ix) There shall be no voting by proxy.
- x) Meeting procedure shall be further guided by Standing Orders as defined in NNSW Constitution.
- xi) Clubs must advise the names of delegates attending AGM and Council meetings

in advance when requested by ERNA. All those in attendance in person at AGM and Council meetings shall sign the attendance sheets. Attendance at on-line AGM and Council Meetings will be downloaded and kept as a record.

xii) A delegate may represent one (1) club only at any meeting.

xiii) Minutes to be taken and distributed by Secretary / Office Support person.

3.2 Ordinary Council Meetings

- i) The Council shall consist of:
 - a) the Office Bearers of ERNA;
 - b) Life Members;
 - c) up to two (2) Club Delegates from each Affiliated Club.
- ii) The Council shall meet at least four (4) times each year on dates to be fixed by the Executive.
- iii) Not less than seven (7) days written notice shall be given specifying the time and place of the meeting of Council, and any special business to be dealt with.

3.3 Executive Meetings

- i) The Executive Committee shall hold a minimum of four (4) Executive meetings per year on dates determined by the Committee.
- iv) The Council shall meet at least four (4) times each year on dates to be fixed by the Council.
- ii) The accidental omission to give any member notice of such meeting shall not invalidate the meeting.
- iii) Should it be necessary to call additional meetings, all Executive Committee members shall be notified at least forty-eight (48) hours prior to the meeting being held.
- iv) Half (1/2) of the elected office bearers shall constitute a quorum.
- v) Should a quorum of the Executive Committee be present, an emergency meeting may be convened at any time.
- vi) The Executive Committee shall exercise the functions and powers of the Council between meetings of Council and its decisions shall be subject to ratification by Council at its next meeting.
- vii) Any member who is directly or indirectly interested in any contract or proposed contract and fails to declare the nature of interest as required by Corporation Law shall be deemed to have resigned and shall be replaced.
- viii) The first duty of a member of the Executive Committee shall be an ERNA function as opposed to a club function.

3.4 Annual General Meeting

An Annual General Meeting of ERNA shall be held in accordance with the provisions of the Act Associations Incorporation Act 2009 and the Associations Incorporation Regulation 2016.

- i) All Registered Members may attend but voting shall be restricted to Office Bearers, Life Members and two (2) nominated Club Delegates from each Affiliated Club.
- ii) Not less than twenty-one (21) days written notice of the Annual General Meeting of ERNA shall be given to each Office Bearer, Life Member and the Secretary of each Affiliated Club, specifying the time and location of the meeting and the nature of the business.
- iii) A copy of the ERNA's Annual Report and the audited accounts shall be available prior to meeting.
- iv) Notices of Motion to be considered at the Annual General Meeting shall be lodged with ERNA Secretary by 15 September and must be collated by the Secretary or appointed Executive Officer within three (3) days.
- v) A quorum for an Annual General Meeting shall consist of half (1/2) the total number of ERNA's Executive Committee members, and at least half (1/2) the Total of Affiliated Clubs.
- vi) The Order of Business of the Annual General Meeting shall be:
 - Apologies;
 - a) Confirmation of the minutes of any Special General Meeting held since the last Special General Meeting;
 - b) Confirmation of the Minutes of the ANNUAL GENERAL MEETING shall be at the next Ordinary Council Meeting;
 - c) Consideration and adoption of the Annual Report and Audited Accounts;
 - d) Appointment of an auditor for the following year;
 - e) Calendar of Events;
 - f) Notices of Motion
 - g) Nominations for Life Membership
 - h) Such other business as the meeting thinks fit;
- vii) Election of Office Bearers. The following Office Bearers shall be elected and shall form the Executive Committee:
 - a) President;
 - b) Vice President;
 - c) Secretary;
 - d) Treasurer;
 - e) Assistant Treasurer;
 - f) Coaching Convenor;
 - g) Competitions Convenor;
 - h) Representative Coordinator;
 - i) Selection Convenor;
 - j) Sponsorship and Grants Coordinator;
 - k) Umpiring Convenor.
- viii) The following Non-Executive Personnel shall be elected:
 - a) Carnival Convenor;
 - b) Coaching Development Convenor;
 - c) Compliance and Safety Officer;
 - d) Facility Coordinator;
 - e) Grounds Supervisor Meadowbank Park;

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- f) Grounds Supervisor Brush Farm Park;
 - g) League Representative Coordinator;
 - h) League Selection Convenor
 - i) Marketing Convenor;
 - j) Member Protection Officer/s (MPIO);
 - k) Registrar;
 - l) Umpiring Development Convenor;
- ix) Election of Sub Committees;
- a) Appeals Committee;
 - b) Carnival Committee;
 - c) Coaching Development Committee;
 - d) Competitions Committee;
 - e) Constitution Committee;
 - f) Grievance & Dispute Resolution Committee;
 - g) Grounds Committee
 - h) League Representative Committee;
 - i) Trophy Committee;
 - j) Umpiring Committee
 - k) League Representative Working Committee.
- x) If an Ordinary Member wishes to nominate for an Office Bearer (Executive) position, the member must complete and sign a nomination form. The Ordinary Member must be nominated and seconded by either financial members of their Club, or by ERNA Life Members, and the nomination form must be signed by the Secretary or Authorised Person of their Club.
- xi) If a Life Member wishes to nominate for an Office Bearer (Executive) position, the Life Member must complete and sign a nomination form. The Life Member must be nominated and seconded by any two Life Members of ERNA. Alternatively a Life Member may nominate through their Club which would require the nomination form to be signed by the Secretary or Authorised Person of their Club.
- xii) Current Office Bearers shall be eligible for re-election.
- xiii) To be eligible for nomination as an Office Bearer or other elected or appointed positions, a nominee must be a Registered Member of ERNA and be on the NSW membership list.
- xiv) If any member of ERNA wishes to nominate for a Non-Executive Role, including membership of Sub-Committees, the member will apply via an electronic form made available by ERNA. There will be no need for a nominator or seconder, nor signature of their Club Secretary.
- xv) All nominations shall be lodged with ERNA Secretary by 15 September. If no nomination is received for a position by the closing date, late nominations will be accepted up to fourteen (14) days before the Annual General Meeting. If vacancy still exists at this meeting, nominations will be accepted from the floor of the meeting.
- xvi) If a vacancy exists or a casual vacancy occurs, nominations will be called for by ERNA Secretary for the next Meeting. Nominations will be accepted up to ten (10) days before the meeting. If vacancy still exists at this meeting, nominations will be accepted from the floor of the meeting.
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- xvii) If positions on the umpiring committee are not filled by nominations before or at AGM then clubs with 25 or more teams registered in day competition must provide someone to fill vacant positions. These Clubs are required to submit nominations to fill these positions by the first Council meeting after the AGM (nominally the February meeting). If a Club with 25 or more teams already has a representative elected to this committee, then they are not required to provide another.
 - xviii) No person shall be elected to more than one (1) position as an Office Bearer. An Office Bearer may be a participant in up to two (2) ERNA sub-committees in addition to any ad hoc committees or those that are part of their role as an Office Bearer.
 - xix) Not more than two (2) members of the Executive Committee shall be members of any one Affiliated Club.
 - xx) No more than two (2) members of any one affiliated club may be elected to any one Sub-committee with the exception of the Umpires Sub-committee where a maximum of three (3) members of any one affiliated club may be elected.
 - xxi) Office Bearers, Non-Executive Personnel and Sub Committee Members elected at the Annual General Meeting shall assume office at the conclusion of the Annual General Meeting and shall hold office for the ensuing year, unless they are removed or resign in the interim.
 - xxii) ERNA may, at a Special General Meeting, by resolution remove any Office Bearer before the expiration of her or his term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the Office Bearer so removed.
 - xxiii) Any Office Bearer, Non-Executive Personnel and Sub Committee Member may resign their position by providing written notice of her or his intention to do so to ERNA Secretary. The Council shall, at its next meeting, by resolution appoint a replacement to hold the position for the remainder of the resigned person's term of office. Executive have the discretion to appoint a temporary replacement until Council appoint a permanent person to the role.

3.5 Special Council Meetings

- i) Special Council Meetings shall be called by the Secretary:
 - a) at the direction of the President;
 - b) OR upon receipt of a requisition signed by three (3) or more affiliated clubs of the members of Council to consider a specific matter or matters.
- ii) All Registered Members may attend but voting shall be restricted to Office Bearers, Life Members and up to two (2) nominated Club Delegates from each Affiliated Club.
- iii) Not less than seven (7) days written notice shall be given to members of Council and to the Secretary of each Affiliated Club, specifying the time and location of a Special Council Meeting, and the nature of the business to be considered.
- iv) A quorum for a Special Council Meeting shall consist of half (1/2) the total number of ERNA's Executive Committee members, and Club Delegates

representing at least one half (1/2) of the Affiliated Clubs.

3.6 Special General Meetings

- i) Special General Meetings shall be called by the Secretary for a specific purpose:
 - a) at the direction of the President;
 - b) OR upon receipt of a requisition signed by three (3) or more affiliated clubs of the members of Council to consider a specific matter or matters.
- ii) Not less than twenty one (21) days written notice shall be given specifying the date, time and place of the Special General Meeting of the Council and the special business to be dealt with.
- iii) All financial members may attend, but voting shall be restricted to ERNA Office Bearers, Life Members and two (2) delegates of each affiliated Club.
- iv) A quorum for Special General Meetings shall consist of delegates representing at least half (1/2) of the Registered Day Competition Clubs and one half (1/2) of the Office Bearers.
- v) Minutes of Special General Meetings shall be confirmed at the next Ordinary Council or Annual General Meeting.

4. ORGANISATIONAL STRUCTURE

4.1 Council

- a) The Council shall consist of:
 - the Office Bearers of ERNA;
 - Life Members;
 - up to two (2) Club Delegates from each Affiliated Club.
- b) The Council shall meet at least four (4) times each year on dates to be fixed by the Council.
- c) Not less than seven (7) days written notice shall be given specifying the time and place of the meeting of Council, and any special business to be dealt with.
- d) Order of business at Council meetings shall be:
 - Apologies;
 - Confirmation of Minutes;
 - Business Arising from Minutes;
 - Notices of Motion;
 - Elections;
 - Correspondence and business arising;
 - Reports:
 - President;
 - Secretary;
 - Treasurer;
 - Competitions Convenor;
 - Umpiring Convenor;

ERNA reports submitted prior to the meeting will be provided to the Clubs for

review. Questions regarding these reports can be raised in General Business.

- General Business

4.2 Powers of Council

The Council shall be responsible for the execution of the objectives of ERNA and without in any way limiting this responsibility shall have power to:

- a) control and manage the affairs of ERNA;
- b) fix fees payable by members and to enforce payment thereof;
- c) control the funds of ERNA and for that purpose to open and operate banking accounts;
- d) carry out and attend to all such matters as shall be necessary for the proper management and control of the property of ERNA;
- e) appoint any delegate or delegates to represent ERNA for any purpose with such powers as may be thought fit;

4.3 Executive Committee

The Executive Committee shall consist of the following voting members:

President
Vice President
Secretary
Treasurer
Assistant Treasurer
Coaching Convenor
Competitions Convenor
Representative Coordinator
Selection Convenor
Sponsorship and Grants Coordinator
Umpiring Convenor

- i) The Executive Committee shall hold a minimum of four (4) Executive meetings per year on dates determined by the Committee.
- ii) The accidental omission to give any member notice of such meeting shall not invalidate the meeting.
- iii) Should it be necessary to call additional meetings, all Executive Committee members shall be notified at least forty-eight (48) hours prior to the meeting being held.
- iv) The Executive should attend Council and Executive Meetings where possible.
- v) Half (1/2) of the elected office bearers shall constitute a quorum.
- vi) Should a quorum of the Executive Committee be present, an emergency meeting may be convened at any time.
- vii) The Executive Committee shall exercise the functions and powers of the Council between meetings of Council and its decisions regarding relevant matters shall be subject to ratification by Council at its next meeting.
- viii) Any member who is directly or indirectly interested in any contract or proposed contract and fails to declare the nature of interest as required by Corporation Law shall be deemed to have resigned and shall be replaced.

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- ix) The first duty of a member of the Executive Committee is to their ERNA position as opposed to their club position.

4.4 Duties of the Executive Committee

- i) The Executive Committee shall exercise the functions and powers of the Council between meetings of the Council and its decisions regarding relevant matters shall be subject to ratification by the Council at the next meeting.
- ii) All Executive Committee members are required to sign the confidentiality undertaking and the ERNA code of conduct within seven (7) days of being elected.
- iii) Ensure the presentation of a financial report to Council meetings and make recommendations to Council on matters of finance and policy.
- iv) Any vacancy on the Executive Committee shall be filled by an executive office bearer until the vacancy is filled by election as soon as is practicable.
- v) Members of the Executive Committee cannot act as delegates for affiliated clubs at meetings of Council.
- vi) Ratify all players selected into Representative Squads and teams prior to announcement of such selected teams.
- vii) Executive Committee shall appoint the representative coaches, representative team managers and employed staff.
- viii) Receive and consider reports from the Managers and Coaches of ERNA's Representative Teams.
- ix) No office bearer shall be entitled to receive remuneration for performing the functions of their office.
- x) The Executive Committee is empowered by Council to take appropriate action under the Member Protection Policy pursuant to this constitution against any affiliated club or registered member of the Association. Any decision taken under the Member Protection Policy is not subject to Appeals ratification by Council.

4.5 ADMINISTRATION

5.1 Delegates to NNSW Meetings

The President and Secretary shall be ERNA delegates to all NNSW meetings (Council and Annual General Meeting).

Two proxy delegates who are available shall be selected from the members of the Executive Committee.

5.2 Finance

- i) The funds of ERNA shall be derived from annual Membership fees, other fees and donations, and, subject to any resolution passed by ERNA in a Council, Special General or Annual General Meeting, such other sources as the Executive Committee determines.
- ii) The main banking accounts of ERNA shall be kept at a bank or building society approved by the Council. All payments operating on the accounts

shall be authorised by any two (2) of the President, Vice President, Secretary and Treasurer.

- iii) The Financial Year of ERNA shall commence on 1 October and end on 30 September of each year.
- iv) The books of ERNA shall be audited each year by a qualified person who is not a member of ERNA.
- v) Audited accounts shall be presented at the Annual General Meeting.
- vi) All NSW fees shall be paid by the due date.
- vii) No Office Bearer of ERNA shall be entitled to receive remuneration for any services as such.

5.3 Custody Of Books

Except as otherwise provided by these rules, all records, books and other documents relating to ERNA shall be kept under the custody of ERNA.

5.4 Inspection Of Records

Subject to any Privacy Legislation, any member of ERNA may inspect the Accounts, the ERNA Membership List and the Council Meeting Minutes by request to the ERNA Office at any reasonable time.

5.5 Alterations to the Constitution of ERNA

- i) Alterations to the Constitution of ERNA may be proposed and seconded by affiliated clubs, Life Members, Sub Committees or the Executive;
- ii) Proposals submitted by affiliated clubs shall be endorsed by the club secretary and be forwarded to ERNA Secretary by 15 September for presentation at the Annual General Meeting, or twenty eight (28) days prior to the ERNA Special General Meeting and the ERNA Secretary will distribute to council members with not less than twenty one (21) days notice specifying the proposed resolution/s.
- iii) The Constitution may be altered by a resolution passed by a majority of at least three quarters (3/4) of the members present and voting at an Annual General Meeting (submitted by 15 September) or ERNA Special General Meeting of which not less than twenty one (21) days notice specifying the resolution/s to be proposed has been given.

5.6 Enforcement of the Constitution and Policies

The authority of ERNA shall extend to and be recognised by all affiliated clubs and individual members.

The Council shall have power to deal with and adjudicate upon all questions and disputes as to the interpretation of the Constitution and Policies and of any complaint made to it of misconduct detrimental to the objectives, policy, interests or welfare of ERNA by any club or person to whom this Constitution applies.

5.7 Dissolution of ERNA

ERNA shall not be dissolved except by a resolution passed by a majority of at least three quarters (3/4) of the members present and voting at a Special General Meeting of ERNA of which not less than twenty one (21) days notice in writing specifying the resolution to

be proposed has been given.

On dissolution of ERNA, any property whatsoever remaining after the determination and settlement of all debts and liabilities shall be paid or transferred to NNSW be used for the promotion of Netball within the boundaries of the area referred to in Clause 1.6 BOUNDARIES.